Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT
Issued under 401 KAR 52:020

Permittee Name:	**Sonoco Products Company**
Mailing Address:	**1 North 2nd Street, Hartsville, South Carolina, 29550**
Source Name:	**Sonoco Phoenix**
Mailing Address:	**3100 Ohio Drive, Henderson, Kentucky, 42420**
Source Location:	**3100 Ohio Drive, Henderson, Kentucky, 42420**
Permit Number:	**V-05-051**
Source A. I. #:	**1835**
Activity #:	**APE20040001**
Review Type:	**Title V Renewal**
Source ID #:	**21-101-00106**
Regional Office:	**Owensboro Regional Office** **3032 Alvey Park Drive West, Suite 700** **Owensboro, KY 42303-2191**
County:	**Henderson**
Application Complete Date:	**March 13, 2003**
Issuance Date:	**December 19, 2005**
Expiration Date:	**December 19, 2010**

E-Signed by Diana Andrews
VERIFY authenticity with ApproveIt

John S. Lyons, Director
Division for Air Quality

Revised 8/3/05

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

GROUP REQUIREMENTS

LIST of EMISSION POINTS

01 (01) - Curing oven
Description:
Wax is applied to ring pull ends, which are then cured in a Cincinnati Industrial Machinery (Serial # S-8314) natural gas fired oven with maximum fuel usage rate of 1200 cubic feet per hour.
Construction commenced: November, 1990

02 (02) - Curing oven
Description:
Wax is applied to ring pull ends, which are then cured in a Cincinnati Industrial Machinery (Serial # S-8149) natural gas fired oven with maximum fuel usage rate of 1200 cubic feet per hour.
Construction commenced: November, 1990

03 (03) - Folded ring pull end press
Description:
W. R. Grace Model 18 compound liner used to line folded ring pull ends with compound liner. Nozzles are cleaned by the occasional spraying of cleaning mist.
Construction commenced: August, 1990

04 (04) - Folded ring pull end press
Description:
W. R. Grace Model 800 compound liner used to line folded ring pull ends with compound liner. Nozzles are cleaned by the occasional spraying of cleaning mist.
Construction commenced: August, 1990

05 (05) - Top end strip press
Description:
W. R. Grace Model 800 compound liner used to line top ends with compound liner. Nozzles are cleaned by the occasional spraying of cleaning mist.
Construction commenced: August, 1990

06 (06) - Bottom end strip press
Description:
W. R. Grace Model 800 compound liner used to line bottom ends with compound liner. Nozzles are cleaned by the occasional spraying of cleaning mist.
Construction commenced: August, 1990

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

08 (08) - Blank end press
Description:
W. R. Grace Model 800 compound liner used to line blank ends with compound liner. Nozzles are cleaned by the occasional spraying of cleaning mist.
Construction commenced: August, 1990

09 (09) - Blank end press
Description:
W. R. Grace Model 800 compound liner used to line blank ends with compound liner. Nozzles are cleaned by the occasional spraying of cleaning mist.
Construction commenced: August, 1990

11 (11) - Blank end press
Description:
W. R. Grace Model 800 compound liner used to line blank ends with compound liner. Nozzles are cleaned by the occasional spraying of cleaning mist.
Construction commenced: August, 1990

12 (12) - Curing oven
Description:
Wax is applied to ring pull ends, which are then cured in an electric black body infrared oven.
Construction commenced: August, 1990

13 (13) - Ring pull end press
Description:
Blank and Conversion Press used to line ring pull ends with compound liner.
Construction commenced: August, 1995

14 (14) - Scroll sheer waxers
Description:
Micro Sphere (Serial #133) waxer used to apply wax to scrolled sheets per hour.
Construction commenced: August, 1990

15 (15) - Compound transfer station
Description:
A compound transfer system used to supply compound to the presses.
Construction commenced: August, 1990

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

16 (16) - Mobile compound transfer station
Description:
A mobile compound transfer system used to supply compound to the presses.
Construction commenced: August, 1990

18 (18) - Mixing drum
Description:
A 55 gallon drum used to mix compound as required.
Construction commenced: August, 1990

19 (19) - Tab press
Description:
Minster Double Press (#D2-30-2000) used to apply lubricant to the aluminum tab stock for ring pull ends.
Construction commenced: August, 1990

20 (20) - Ring pull end press
Description:
Conversion Press used to coat ring pull ends with lubricant.
Construction commenced: August, 1990

21 (21) - Ring pull end press
Description:
Conversion Press used to coat ring pull ends with lubricant.
Construction commenced: August, 1990

26 (26) - Blank end press
Description:
W. R. Grace Model 800 compound liner used to line blank ends with compound liner. Nozzles are cleaned by the occasional spraying of cleaning mist.
Construction commenced: April, 1995

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

27 (27) - Curing oven
Description:
Wax is applied to pull ends, which are then cured in an electric black body infrared oven.
Construction commenced: April, 1995

28 (28) - Ring pull end press
Description:
Conversion Press used to coat ring pull ends with lubricant.
Construction commenced: April, 1995

29 (29) - Ring pull end press
Description:
Conversion Press used to coat ring pull ends with lubricant.
Construction commenced: April, 1995

32 (32) - Ring pull end press
Description:
W. R. Grace Model 800 compound liner used to line ends with compound liner. Nozzles are cleaned by the occasional spraying of cleaning mist.
Construction commenced: November, 1995

33 (33) - End press
Description:
W. R. Grace Model 800 compound liner used to line ends with compound liner. Nozzles are cleaned by the occasional spraying of cleaning mist.
Construction commenced: January, 1998

34 (34) - Ultra Seal Blanks
Description:
Compound liner used to line ends with compound liner. Nozzles are cleaned by the occasional spraying of cleaning mist.
Construction commenced: June, 2003

35 (35) - Ultra Seal Blanks
Description:
Compound liner used to line ends with compound liner. Nozzles are cleaned by the occasional spraying of cleaning mist.
Construction commenced: June, 2003

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

APPLICABLE REGULATIONS:
Self-imposed limitations to preclude 401 KAR 51:017, Prevention of Significant Deterioration (PSD)
Self-imposed HAP emission limitations to preclude 40 CFR 63, Subpart KKKK, *National Emission Standards for Hazardous Air Pollutants for Surface Coating of Metal Cans*

State-Origin Applicable Regulations:
401 KAR 63:021, Existing Sources emitting toxic air pollutants

1. **Operating Limitations:**
   None

2. **Emission Limitations:**
   Total group volatile organic compounds (VOC), single hazardous air pollutant (HAP), combined HAPs, n-hexane, toluene, vinyl acetate, paraffin and ammonia emission limitations (See Section D).

3. **Testing Requirements:**
   A test, approved by the Division, of any new coating compound used at these emission points shall be carried out prior to its use, to determine the VOC and HAP content of the coating. The chemical composition, submitted by the manufacturer of the coating, such as in an MSDS sheet, may substitute for a chemical analysis test if approved by the Division.

4. **Specific Monitoring Requirements:**
   The calculated monthly VOC, HAP, n-hexane, toluene, vinyl acetate, paraffin and ammonia emission rates shall be monitored to ensure that they do not exceed the permitted levels (See Section D).

5. **Specific Record Keeping Requirements:**
   Records shall be maintained of the monthly usage rates of each of the coatings used for all emission points in the group. Records shall be maintained of the calculated total monthly and 12 month rolling average VOC, single HAP, combined HAP emissions and calculated monthly toxic air pollutant (n-hexane, toluene, vinyl acetate, paraffin, and ammonia) emissions from the plant. Records of the chemical composition of the coating compounds used at these emission points shall also be maintained at the source.

6. **Specific Reporting Requirements:**
   The permittee shall submit reports to the Division for Air Quality's Owensboro Regional Office containing the calculated monthly and 12 month rolling VOC, single HAP and combined HAP emissions, and monthly emissions of toxic air pollutants (n-hexane, toluene, vinyl acetate, paraffin and ammonia), including the details of these calculations, within 30 days of the end of the each reporting period. All pollutant emissions regulated in this permit that are in excess of the emission limits specified in this permit shall be reported to the Division as specified in Section F (6) of this permit.

SECTION C – INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

	Description	Regulation
1.	#15 Compound transfer station for Darex 9179 E	401 KAR 63:020
2.	#16 Compound transfer station for Darex 9385 E	401 KAR 63:020
3.	Safety Kleen 30 gallon parts washer	401 KAR 63:020
4.	Safety Kleen 80 gallon parts washer	401 KAR 63:020
5.	Pneumatic conveying system and scrap aluminum baler	401 KAR 59:010
6.	Two (2) natural gas fired safety shield ovens, each with a heat input rating of 1.2 MMBtu/hour	401 KAR 59:010

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.

2. Volatile organic compounds (VOC), single HAP, combined HAP, n-hexane, toluene, vinyl acetate, paraffin and ammonia emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.

3. Total VOC emissions from the listed Emission Points in Section B shall not exceed 225 tons per rolling 12 month period. [Self imposed to preclude the applicability of 401 KAR 51:017, Prevention of significant deterioration to air quality]

Compliance Demonstration Method:

$$\text{Monthly VOC emissions (in tons per month)} = \sum_{n=1}^{N} M_n \rho_n / 2000 \text{ (lbs/ton)}$$

M_n= Total amount of compound 'n' used at these Emission Points (lbs of compound 'n' used/month)

ρ_n = Percent by weight of VOC in compound 'n' (lbs VOC/lb compound 'n' used)

N= Total number of compounds

4. Total single HAP and combined HAP emissions from the listed Emission Points in Section B shall not exceed 9 tons per rolling 12 month period and 22.5 tons per rolling 12 month period, respectively. [Self imposed to preclude the applicability of 40 CFR 63, Subpart KKKK, *National Emission Standards for Hazardous Air Pollutants for Surface Coating of Metal Cans*]

Compliance Demonstration Method:

$$\text{Monthly single HAP Emissions (in tons per month)} = \sum_{n=1}^{N} M_n \rho_n / 2000 \text{ (lbs/ton)}$$

M_n= Total amount of compound 'n' used at these Emission Points (lbs of compound 'n' used/month)

ρ_n = Percent by weight of single HAP in compound 'n' (lbs HAP/lb compound 'n' used)

N= Total number of compounds

$$\text{Monthly combined HAP Emissions (in tons per month)} = \sum \text{Monthly single HAP emissions}$$

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

5. Total n-hexane emissions from the listed Emission Points in Section B shall not exceed 45.35 pounds per hour, on an 8-hour average basis. [401 KAR 63:021, State Origin]

Compliance Demonstration Method:

$$\text{Monthly n-hexane 8-hr avg. emissions (in lbs/hour)} = \sum_{n=1}^{N} M_n \rho_n / H$$

M_n= Total amount of compound 'n' used at these Emission Points (lbs of compound 'n' used/ no. of 8-hr periods in a month)
ρ_n = Percent by weight of n-hexane in compound 'n' (lbs n-hexane/lb compound 'n' used)
H = hours of operation (hours/no. of 8-hr periods in a month)
N= Total number of compounds

6. Total toluene emissions from the listed Emission Points in Section B shall not exceed 10.23 pounds per hour, on an 8-hour average basis. [401 KAR 63:021, State Origin]

Compliance Demonstration Method:

$$\text{Monthly toluene 8-hr avg. emissions (in lbs/hour)} = \sum_{n=1}^{N} M_n \rho_n / H$$

M_n= Total amount of compound 'n' used at these Emission Points (lbs of compound 'n' used/ no. of 8-hr periods in a month)
ρ_n = Percent by weight of toluene in compound 'n' (lbs toluene/lb compound 'n' used)
H = hours of operation (hours/no. of 8-hr periods in a month)
N= Total number of compounds

7. Total vinyl acetate emissions from the listed Emission Points in Section B shall not exceed 10.23 pounds per hour, on an 8-hour average basis. [401 KAR 63:021, State Origin]

Compliance Demonstration Method:

$$\text{Monthly vinyl acetate 8-hr avg. emissions (in lbs/hour)} = \sum_{n=1}^{N} M_n \rho_n / H$$

M_n= Total amount of compound 'n' used at these Emission Points (lbs of compound 'n' used/ no. of 8-hr periods in a month)
ρ_n = Percent by weight of vinyl acetate in compound 'n' (lbs vinyl acetate /lb compound 'n' used)
H = hours of operation (hours/no. of 8-hr periods in a month)
N= Total number of compounds

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

8. Total paraffin emissions from the listed Emission Points in Section B shall not exceed 1.20 pounds per hour, on an 8-hour average basis. [401 KAR 63:021, State Origin]

Compliance Demonstration Method:

$$\text{Monthly paraffin 8-hr avg. emissions (in lbs/hour)} = \sum_{n=1}^{N} M_n \rho_n / H$$

M_n= Total amount of compound 'n' used at these Emission Points (lbs of compound 'n' used/ no. of 8-hr periods in a month)
ρ_n = Percent by weight of paraffin in compound 'n' (lbs paraffin /lb compound 'n' used)
H = hours of operation (hours/no. of 8-hr periods in a month)
N= Total number of compounds

9. Total ammonia emissions from the listed Emission Points in Section B shall not exceed 2.48 pounds per hour, on an 8-hour average basis. [401 KAR 63:021, State Origin]

Compliance Demonstration Method:

$$\text{Monthly ammonia 8-hr avg. emissions (in lbs/hour)} = \sum_{n=1}^{N} M_n \rho_n / H$$

M_n= Total amount of compound 'n' used at these Emission Points (lbs of compound 'n' used/ no. of 8-hr periods in a month)
ρ_n = Percent by weight of ammonia in compound 'n' (lbs ammonia /lb compound 'n' used)
H = hours of operation (hours/no. of 8-hr periods in a month)
N= Total number of compounds

Where: N = The total number of compounds used at the listed Emission Points in Section B during the month. The percentages of VOC, HAP, n-hexane, toluene, vinyl acetate, paraffin, and ammonia in each of the coating compounds shall be used in calculating the appropriate actual emissions from the Emission Points, unless alternate values have been pre-approved by the Division. No coating compound shall be used at the Emission Points unless their use has been pre-approved by the Division. Details including the date of any such change and the name and compositions of the coating compound shall be maintained at the source.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
    a. Date, place as defined in this permit, and time of sampling or measurements;
    b. Analyses performance dates;
    c. Company or entity that performed analyses;
    d. Analytical techniques or methods used;
    e. Analyses results; and
    f. Operating conditions during time of sampling or measurement.

2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [Sections 1b(IV) 2 and 1a(8) of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

3. In accordance with the requirements of 401 KAR 52:020 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
    a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
    b. To access and copy any records required by the permit:
    c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.

    Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Section 1b (V)1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. All deviations from permit requirements shall be clearly identified in the reports.

7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
    a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
    b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.

8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by Section F.6 [Section 1b (V) 3, 4. of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

9. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
    a. Identification of the term or condition;
    b. Compliance status of each term or condition of the permit;
    c. Whether compliance was continuous or intermittent;
    d. The method used for determining the compliance status for the source, currently and over the reporting period.
    e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality
Owensboro Regional Office
3032 Alvey Park Drive W.
Owensboro, KY 42303

U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601

10. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee.

11. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

SECTION G – GENERAL PROVISIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020 and of the Clean Air Act and is grounds for enforcement action including but not limited to termination, revocation and reissuance, revision or denial of a permit [Section 1a, 3 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020 Section 26].

2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a, 6 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
   a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
   b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
   c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

   Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Section 1a, 7,8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such facts or corrected information to the permitting authority [401 KAR 52:020, Section 7(1)].

SECTION G – GENERAL PROVISIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a, 14 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a, 4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

8. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a, 15 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a, 10 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:020, Section 11(3)(b)].

11. This permit does not convey property rights or exclusive privileges [Section 1a, 9 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Environmental and Public Protection or any other federal, state, or local agency.

13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry [401 KAR 52:020, Section 11(3)(d)].

14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders [401 KAR 52:020, Section 11(3)(a)].

SECTION G – GENERAL PROVISIONS (CONTINUED)

15. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

16. Pursuant to 401 KAR 52:020, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of issuance. Compliance with the conditions of a permit shall be considered compliance with:
    a. Applicable requirements that are included and specifically identified in the permit and
    b. Non-applicable requirements expressly identified in this permit.

17. Pursuant to 401 KAR 50:045, Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.

(b) Permit Expiration and Reapplication Requirements

1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:020, Section 12].

2. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:020 Section 8(2)].

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).

SECTION G – GENERAL PROVISIONS (CONTINUED)

2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements
None

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
   a. An emergency occurred and the permittee can identify the cause of the emergency;
   b. The permitted facility was at the time being properly operated;
   c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
   d. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
   e. This requirement does not relieve the source of other local, state or federal notification requirements.

2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].

3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(2)].

SECTION G – GENERAL PROVISIONS (CONTINUED)

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

   RMP Reporting Center
   P.O. Box 1515
   Lanham-Seabrook, MD 20703-1515.

2. If requested, submit additional relevant information to the Division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
   a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
   b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
   c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
   d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166
   e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
   f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

SECTION H - ALTERNATE OPERATING SCENARIOS

Not Applicable.

SECTION I - COMPLIANCE SCHEDULE

Not Applicable.